

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

.....
MICHAEL ROSENBERG, On Behalf of
Himself and All Others Similarly Situated,
Plaintiffs,

Civil Action No. 04-CV-12220 NMG

v.

ASCENT TECHNOLOGY, INC.,
Defendant.
.....

**MOTION FOR STIPULATION AND ORDER EXTENDING TIME
TO ANSWER, MOVE, OR OTHERWISE PLEAD**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, plaintiff Michael Rosenberg and defendant Ascent Technology, Inc. jointly move that this Court enter the attached Stipulation and Order Extending Time to Answer, Move, or Otherwise Plead, for the reasons stated therein.

Respectfully submitted,

MICHAEL ROSENBERG

By his attorneys,

/s/ Nancy Freeman Gans

Nancy Freeman Gans, BBO #184540
MOULTON & GANS, P.C.
33 Broad Street, Suite 1100
Boston, MA 02109-4216
Tel. (617)369-7979

Michael M. Buchman
J. Douglas Richards
MILBERG WEISS BERSHAD &
SCHULMAN LLP
One Pennsylvania Plaza
New York, New York 10119-0165
Tel. (212)594-5300

Motion allowed. JMG/ton, USDJ 12/16/04

Jack G. Fruchter
ABRAHAM, FRUCHTER & TWERSKY
LLP
One Penn Plaza, Suite 1910
New York, New York 10119
Tel. (212)279-5050

ASCENT TECHNOLOGY, INC.

By its attorneys,

/s/ John A. Shope

John A. Shope, BBO #562056
William McGeeveran, BBO #658632
FOLEY HOAG LLP
155 Seaport Boulevard
Boston, MA 02210
Tel. (617)832-1000

Dated: November 8, 2004

Certificate of Service

I, William McGeveran, one of the attorneys for defendant Ascent Technology, Inc., hereby certify that I served the foregoing document by causing a true copy thereof to be mailed by first-class mail, postage pre-paid, to:

1. Nancy Freeman Gans, Esquire
MOULTON & GANS, P.C.
33 Broad Street, Suite 1100
Boston, MA 02109-4216
2. Michael M. Buchman, Esquire
MILBERG WEISS BERSHAD & SCHULMAN LLP
One Pennsylvania Plaza
New York, New York 10119-0165
3. Jack G. Fruchter, Esquire
ABRAHAM, FRUCHTER & TWERSKY LLP
One Penn Plaza, Suite 1910
New York, New York 10119

/s/ William McGeveran

William McGeveran

Dated: November 8, 2004